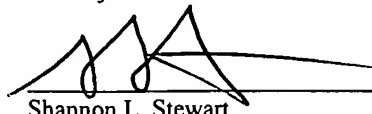




11W RCE

**CONDITIONAL REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 27, 2008.*

  
Shannon L. Stewart

Application Number : 10/735,050 Confirmation No. 2484  
Filing Date : December 12, 2003  
Inventor(s) : Benjamin Atkin, et al.  
Title : ULTRASONIC DENTAL HANDPIECE HAVING A ROTATABLE HEAD  
Group Art Unit : 3732  
Examiner Name : John J. Wilson  
Docket No. : 51291/D359 Date: May 27, 2008

**MAIL TO: Mail Stop RCE**

This is a Conditional Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

**1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**

- a. ☒ Pending (no review proceedings active)
- (1) ☒ An Action was mailed by the Office on November 27, 2007, as to which no appeal under 37 CFR § 1.191 has been filed and
- ☒ a response under 37 CFR § 1.116 was mailed on April 14, 2008
- ☐ via Express Mail
- ☒ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

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**CONDITIONAL REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

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**Application No. 10/735,050**

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**2. SUBMISSION(S) REQUIRED (check at least one)**

**a. Previously submitted**

☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on April 14, 2008

☐ Consider the arguments in the Appeal or Reply Brief previously filed on

☐ Other:

**b. Enclosed**

☐ Amendment/Reply

☐ Affidavit(s)/Declaration(s)

☐ Information Disclosure Statement

☐ Documents under 37 CFR § 1.48

☒ Petition for Extension of Time

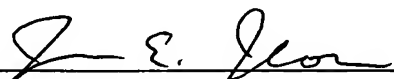
☒ Other: REMARKS ON CONDITIONAL RCE

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Jun-Young E. Jeon  
Reg. No. 43,693  
626/795-9900

JEJ/sls

**CONDITIONAL REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 10/735,050**

**PART I — BASIC FEE**

BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$810
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**PART II — ADDITIONAL CLAIMS (compared to application before RCE)**

	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	8	*28	0	x \$25.00	x \$50.00	0
Independent Claims	1	**4	0	x \$105.00	x \$210.00	0
First Presentation of Multiple Dependent Claim				\$185.00	\$370.00	0
TOTAL CLAIMS FEE						\$0
List Independent Claims: 17						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)
  - a. Amount (total from Fee Calculation Sheet)
  - b.   X   The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A duplicate copy hereof is enclosed.**

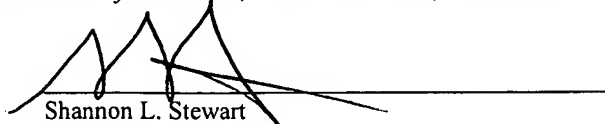
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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Shannon L. Stewart

Applicant : Benjamin Atkin, et al. Confirmation No. 2484  
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HEAD  
  
Grp./Div. : 3732  
Examiner : John J. Wilson  
  
Docket No. : 51291/D359

**REMARKS ON CONDITIONAL RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
May 27, 2008

Commissioner:

The Examiner has advised that the application would be allowed with claims set forth in the Amendment After Final mailed April 14, 2008. However, Applicants are not able to confirm that the Notice of Allowance was indeed mailed.

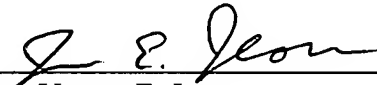
In order to ensure that the application is not inadvertently abandoned, Applicants submit herewith a conditional Request for Continued Examination (RCE), which is to be entered if and only if the Notice of Allowance is not timely mailed. This RCE is conditional because Applicants do not wish to file an RCE if a Notice of Allowance was timely mailed.

**Application No. 10/735,050**

As such, Applicants respectfully request that the RCE not be entered and no USPTO fee be taken from the stated deposit account if a Notice of Allowance was mailed on May 27, 2008.

If there are any remaining issues that can be addressed over the telephone, Applicant's attorney can be reached at the below listed number.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
Jun-Young E. Jeon  
Reg. No. 43,693  
626/795-9900

JEJ/sls

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